



PATENT
ATTORNEY DOCKET NO.: 040894-5685

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Kenichi NISHIKAWA)	Confirmation No.: 9631
Application No.: 09/892,788)	Group Art Unit: 2879
Filed: June 28, 2001)	Examiner: S. Roy
For: SPARK PLUG WITH GLAZE AND MARKING)	
(As Amended))	

The Commissioner of Patents
Arlington, VA 22202

Sir:

AMENDMENT AND REQUEST FOR RECONSIDERATION
UNDER 37 C.F.R. § 1.111

In response to the Non-Final Office Action dated December 11, 2003 (Paper No. 1103), the period for reply to which has been extended to April 11, 2004, by a petition for a one-month extension of time filed concurrently herewith, please amend the above-identified application as follows:

04/02/2004 EAREGAY1 00000163 500310 09892788

02 FC:1201	860.00 DA
03 FC:1202	90.00 DA
04 FC:1203	290.00 DA



Image

2879

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In re Application of:

Kenichi NISHIKAWA

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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment and Request for Reconsideration responding to the Office Action dated December 11, 2003.
2. Additional papers enclosed:
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, ____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

04/02/2004 EAREGAY1 00000163 500310 09892788

01 FC:1251 110.00 DA

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
<input checked="" type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$ 110.00.

- ☒ If an additional extension of time is required, please consider this a Petition therefor.
- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	25	minus	20	5	x \$18 each=	\$ 90.00
Independent Claims (37 C.F.R. §1.16(b))	13	minus	3	10	x \$86 each=	\$ 860.00
[] First presentation of Multiple dependent claim(s)					\$290.00	\$ 290.00
SUB-TOTAL =						\$1,240.00
Reduction by ½ for filing by a small entity						\$ 0.00
TOTAL FEE =						\$1,240.00

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ The Commissioner is hereby authorized to charge **\$1,350.00** (\$1,240.00 for the additional claims fee and \$110.00 for the one-month extension of time fee to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: Mary Jane Boswell
Mary Jane Boswell
Reg. No. 33,652

Dated March 31, 2004

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